

**Statement by Airbnb Host Blake Ratcliff
to the Division of Legislative Services
Short Term Rentals Work Group
7 Nov 2016**

Mr. Chairman and Distinguished Working Group Members:

Delegate Peace, in July you raised questions about what is really being meant by “preserving community standards” and “retaining community character.”

I am an Airbnb host living in a Fairfax County community that was once home to Supreme Court Justice Thurgood Marshall. We have endured hate, harassment and public shaming after hosting people of color in our home -- whether they were Airbnb guests or personal friends.

Our home had long been used for entertaining guests. In fact, the previous owners moved out of the upstairs so they could host 50 bluegrass concerts each attended by 100 white strangers from all over DC¹. No one complained about noise, cars, and strangers then.

So imagine our shock when one of the neighbors your work group heard a presentation from in July led a door-to-door campaign generating hate and discontent against us after we hosted an African American family’s annual family reunion. Then they filed the complaint with the HOA having never said a word to us².

The same neighbor generated 3 letters of harassment that arrived the day after my daughter's Nigerian college roommate visited at Thanksgiving.

After my son came home for spring break and hosted a party that included African Americans, this same neighbor appeared at the March HOA board meeting³ complaining about security and Airbnb but we hadn’t hosted Airbnb guests for four months.

¹ <https://dcbu.ticketleap.com/the-dc-bluegrass-festival-fundraiser-bbq-picking-concert/>

² <http://www.lakebarcroft.org/docs/association/meetings/minutes-201510.html>

³ <http://www.lakebarcroft.org/docs/association/meetings/minutes-201603.html>

During late March, April, and early May⁴ we had a lot of white Airbnb guests on weekends my daughters had collegiate rowing competitions. None of my neighbors appeared at April⁵ or May⁶ HOA board meetings to complain when the guests were white.

Eight days after we hosted black professionals⁷ in town for a Memorial Day festival, ten neighbors, including all three who appeared here in July, complained at the June HOA board meeting⁸ about safety, security, and other allegations led by a neighbor who cannot see my home from her property. She and most of the others can only see the color of people driving by their houses.

At this work group in July, the neighbor group referenced “strangers” 9 times but 2 of them wouldn’t know me if I walked up and bit them on the nose. All they know is that I’m Caucasian and 20% of my guests were not. We have over 20 illustrations of actions neighbors took against us that followed this pattern. We will provide the complete list if it would help the Work Group’s decision-making.

One July presenter complained that Airbnb guests brought casseroles suggesting Airbnb guests don’t invest in the community when they’re here. She was referring to a family that had just buried their son at Arlington Cemetery. They stayed at an Airbnb so they could be together to grieve as a family. Friends brought casseroles when paying their respects. We, too, hosted a former resident whose family wanted to return to their old community when they were burying their soldier dad at Arlington...but even knowing that, the July group repeatedly stated our guests had no ties to the community when they have personally known some of my guests.

Likewise, each of the July presenters made exaggerated claims of “daily” rentals⁹ when they know I live in the home full-time. My wife commutes to the Pentagon every day. This is my primary and only residence. I only rent 2 weekends per month for about 4 days a month. Unfortunately, we have learned that they will SAY anything which is one reason we asked your Work Group to swear in presenters.

⁴ <https://www.airbnb.com/users/reviews>

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<http://www.lakebarcroft.org/sites/default/files/Minutes%20LBA%20Board%20Meeting%20April%2013.%202016%20FINAL.pdf>

⁶

<http://www.lakebarcroft.org/sites/default/files/Minutes%20of%20the%20Lake%20Barcroft%20Association%20Board%20of%20Directors%20May%2011.%202016.pdf>

⁷ <https://www.airbnb.com/users/show/37429596>

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<http://www.lakebarcroft.org/sites/default/files/Minutes%20LBA%20Board%20Meeting%20June%208%202016%20for%20the%20web%20rev%201.pdf>

⁹ http://services.dlas.virginia.gov/User_db/frmView.aspx?ViewId=4618

They have worked so dishonestly against us that they convinced our HOA to issue cease and desist letters¹⁰ in defiance of the General Assembly's unanimously passed¹¹ Homeowner's Bill of Rights¹². Because of the uncorroborated statements made against us, I am, by comparison, providing dates and links to references supporting my remarks.

They convinced our Board President to write this work group a letter¹³ in which he used 12 terms of exclusion prohibited by Fair Housing Laws including statements that "short term rentals compromised their property right to live in the type of neighborhood they expected when they purchased homes in our community" -- which appears to refer to the area's 95.7% Caucasian population when many of these neighbors purchased their homes.¹⁴

In September, they convinced Fairfax County to adjust its decades old treatment of short term rentals to outlaw Airbnb.¹⁵ At a Mason District Council meeting attended by a nearly 100% Caucasian audience with no millennials or Gen Xers present (even though the District is only 56.1% White and average age is 36.7 years old¹⁶), the group was unusually hostile disrespecting the Work Group member Ed Mullen who had been asked to attend by the local state senator. But one presenter at the Mason District Council actually complained about Airbnb's anti-discrimination policy because hosts can't ask the race or sexual orientation of potential guests¹⁷.

Airbnb has been a lifeline for my wife and me. We have three kids in college. I lost my job right after we purchased our home and the job I have now does not match my previous salary level. We rent it weekends when we travel to see the kids -- about 4 days/month.

¹⁰ <http://www.lakebarcroft.org/docs/association/meetings/minutes-201601.html>

¹¹

https://www.washingtonpost.com/local/homeowners-bill-of-rights-legislation-unanimously-passes-virginia-house/2015/02/19/902823fc-b87e-11e4-9423-f3d0a1ec335c_story.html

¹²Section 55-509.3:1A(1): <http://law.lis.virginia.gov/vacodepopularnames/property-owners-association-act>

¹³

<http://www.lakebarcroft.org/sites/default/files/Short%20Term%20Rental%20Ltr%20to%20VA%20Housing%20Comm%20July-16.pdf>

¹⁴http://www.fairfaxcounty.gov/demogrph/fxprofile/profile_1977.pdf

¹⁵ <http://www.fairfaxcounty.gov/code/property/property-rental.htm>

¹⁶ <http://www.towncharts.com/Virginia/Demographics/Mason-district-VA-Demographics-data.html>

¹⁷ See presenter at 2:07 hours into meeting: <https://www.youtube.com/watch?v=wqfDPEE55N0>

An occupied house is a good thing. Department of Justice showed 72% of burglaries occur in a vacant home¹⁸ with a 60% chance of revictimization within days of a first break-in¹⁹. This idea of renting one's primary residence is endorsed by AARP as an excellent that renting is a basic property right²⁰. Airbnb promotes connections, experiences, global friendship and belonging. Sharing my home and values with someone for a weekend in no way changed the character of my community except perhaps for just a moment it was kinder, gentler and good.

- Use the laws you have
- Leave short term rentals on the same footing with their long term rental counterparts as envisioned by the VA Supreme Court in its *Scott v Walker* 2007 ruling²¹.
- Keep the regulations and tax issues at the state level.
- Do not permit a local option - they are just not equipped to deal with fair housing rules effectively and too susceptible to local biases.

In closing, Delegate Peace, You said it best at the July work group

“I hope that we as Virginians would not endorse a system of laws or rules or otherwise allow that type of discrimination to continue.”

Please don't codify prejudice.

¹⁸ <http://www.bjs.gov/content/pub/ascii/vdhab.txt>

¹⁹ http://www.popcenter.org/tools/repeat_victimization/2

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<https://www.washingtonpost.com/news/where-we-live/wp/2016/09/07/how-your-neighbors-airbnb-rental-can-affect-your-property-values/>

²¹ <http://www.courts.state.va.us/opinions/opnscvwp/1061410.pdf>

Mr Peace:

At your July work group on short term rentals you raised questions about what is really being meant by “preserving community standards” and “retaining community character.” You wisely opined, “I hope that we as Virginians would not endorse a system of laws or rules or otherwise allow that type of discrimination to continue.” We are Airbnb hosts and would like to address your 7 Nov work group on this issue because of the harassment and discrimination we have faced after hosting people of color in our home.

Three of the neighborhood representatives allowed to present at the 14 July work group have been active participants in attacks we have endured after hosting African Americans in our home. We have been dismayed that people would actively work against Airbnb who cannot see our home from their property -- all based on the color of people driving by their houses. The July presenters made frequent references to “strangers” but 2 of the 3 would not know me if I walked up and bit them on the nose. All they know is that I’m Caucasian and 20% of my guests were not. Each of them made exaggerated claims of “daily” rentals when they know I live in this home full-time and only rent 2 weekends per month for about 4 days.

They have worked so actively against us that they managed to convince our HOA to issue cease and desist letters (even lacking restrictive covenants to do so) in violation of the General Assembly’s unanimous passage of the Homeowner’s Bill of Rights.

Now, they convinced Fairfax County to adjust its decades old treatment of short term rentals to outlaw Airbnb. At a district Council meeting attended by 100% Caucasian audience with no millennials or Gen Xers present, one presenter actually complained about Airbnb’s anti-discrimination policy because hosts can’t ask if a guest is Black or gay.

We have dates and documentation to prove what we’ve been experiencing. Airbnb is a positive force for good, promoting harmony, unity and global diversity. Just because I shared my home with someone for a weekend in no way changed the character of that community and assertions to the contrary are borne of malice and prejudice.

Keep the regulations and tax issues at the state level.

Blake Ratcliff